

REMARKS

INTRODUCTION:

In accordance with the foregoing, no claims have been canceled, amended, or added. No new matter is being presented, and approval and entry are respectfully requested. Therefore, claims 1-18 are pending and under reconsideration is requested.

ENTRY OF AMENDMENT UNDER 37 C.F.R. §1.116:

Applicant(s) request(s) entry of this Rule 116 Response because further search by the Examiner is unnecessary since no new features are being added and because the scope of each of the claims has not been altered.

REJECTION UNDER 35 U.S.C. §102:

In the Office Action, claims 6, 7, 13, 15, and 18 were rejected under 35 U.S.C. §102 in view of Ishibashi (U.S. Patent No. 6,442,114). This rejection is respectfully traversed and reconsideration is requested.

Regarding the rejection of claim 6, applicant notes that claim 6 recites a light source to emit a plurality of light beams, such that a plurality of light spots are formed on a recording medium, **the light spots having a same displacement in a radial direction of the recording medium**, a detector to receive and photoelectrically convert the light beams reflected from the recording medium, and to output detection signals, and a signal detector to delay one of the detection signals output from the detector to remove a time gap between the delayed detection signal and an undelayed one of the detection signals.

Calling attention to the phrase "a same displacement in a radial direction of the recording medium," applicant respectfully asserts that the reference to Ishibashi is completely silent as to this feature and therefore fails to anticipate the claimed invention. As discussed in the previous response, Ishibashi discloses an optical carrier 100 on which laser beams L1, L2, and L3 are projected. However, whereas in the claimed invention, the light spots have a **same displacement** in a radial directed of the recording medium, the laser beams L1, L2, and L3, of Ishibashi, are spaced in a radial direction of the optical disc 100. As a result, the Ishibashi laser beams have **different displacements** in a radial direction of the recording medium.

With respect to the Examiner's comments that "fig. 7 of the Ishibashi et al. reference does disclose the use of light beams in 'a same displacement in a radial direction' corresponding

to fig. 2 of the disclosed invention," applicant notes that in an informal telephone conversation held with the Examiner on December 1, 2004, the Examiner explained that since FIG. 2 of the claimed invention actually shows light spots on the "same track," and FIG. 7 of Ishibashi shows laser beams on "different tracks," if claim 6 were amended to state that the light spots are on the "same tracks," claim 6 would be allowable.

In response, applicant asserts that the recommended change is wholly unnecessary since the language of the claims is clear on its face and since the Examiner appears to be interpreting the language in an unreasonable manner. Further, the claimed invention, as written, is clearly distinguished from the reference because the reference obviously fails to disclose light spots having a same displacement in a radial direction of the recording medium.

Therefore, applicant respectfully asserts that claim 6 is patentably distinguished from the reference to Ishibashi. Thus, the rejection of claim 6 is believed to be overcome.

Regarding the rejections of claims 7, 13, 15, and 18, it is noted that these claims depend from claim 6 and are allowable for at least the reasons as set forth above with respect to the allowability of claim 6. Thus, these rejections are also believed to be overcome.

CONCLUSION:


In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited. At a minimum, this Amendment should be entered at least for purposes of Appeal as it either clarifies and/or narrows the issues for consideration by the Board.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

If there are any additional fees associated with the filing of this Response, please charge the same to our Deposit Account No. **.

Respectfully submitted,

STEIN, MCEWEN & BUI LLP

By: 
Howard I. Levy
Registration No. 55, 378

1400 I Street, NW, Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510

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